



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 02,276-A)

IN THE APPLICATION OF:

McCallum, et al.

Serial No. 10/691,374

Filed: October 22, 2003

Title: Tomatoes Having Reduced Polygalacturonase  
Activity Caused by Non-Transgenic Mutations  
in the Polygalacturonase Gene.

Examiner: Not Assigned

Group Art Unit: 2152

TRANSMITTAL LETTER

Assignment Recordation Service  
Director of the U. S. Patent and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

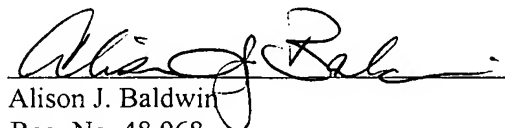
- a. Executed Assignment;
- b. PTO-1595 – Assignment Recordation Cover Sheet;
- c. Executed Declaration and Power of Attorney; and
- d. Postcard.

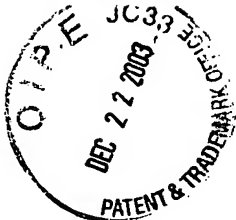
2. With respect to additional fees:

- a. X Enclosed are the following fees:
  - Check in the amount of: \$65.00 for filing of the Declaration.
  - Check in the amount of: \$40.00 for filing of the Assignment.
- b. X Please charge any additional fees or credit overpayment to our Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assignment Recordation Service, Director of the U. S. Patent and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17<sup>th</sup> day of December, 2003.

By:

  
Alison J. Baldwin  
Reg. No. 48,968



Case No.: MBHB 02,276-A

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **TOMATOES HAVING REDUCED POLYGALACTURONASE ACTIVITY CAUSED BY NON-TRANSGENIC MUTATIONS IN THE POLYGALACTURONASE GENE.**

the specification of which is attached hereto unless the following space is checked:

☒ was filed on October 22, 2003 as United States Application Serial Number 10/691,374.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.	60/420,228	October 22, 2003
2.		

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.


	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.			
2.			

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

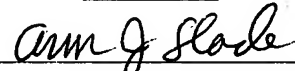
Customer Number: **020306**  
Principal attorney or agent: Alison J. Baldwin  
Telephone number: 312-913-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

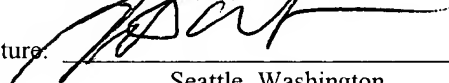
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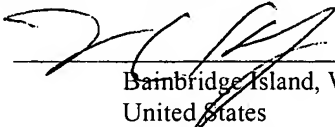
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Inventor's signature:  Date: 12-3-03  
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